

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

February 9, 2006

OK

TO: Internal File

THRU: Wayne Western Senior Reclamation Specialist Team Lead *WHW*

FROM: Priscilla Burton, CPSSc, Environmental Scientist III *PWB by AN*

RE: Phase II Bond Release, Mountain Coal Company LLC, Gordon Creek 2,7 & 8 mine, C/007/0016, Task ID #2384

SUMMARY:

The Bond Release Directive Tech-006 (dated September 5, 2000) and Utah Regulation R645-301-880.320 govern Phase II bond release. The stated requirements are establishment of vegetation and sediment control, and the establishment of pre-mining yields on prime farmland. The Gordon Creek 2, 7, 8 Mines did not affect prime farmlands.

The disturbed area was 34.88 acres. The portion requested for Phase II Bond release is 32.52 acres. (This excludes the 2.36 acres associated with the sediment pond and the Sweet's pond site.) The Phase I bond release documentation established that the topsoil and grading of the site was according to plan. (See my technical memo dated January 16, 2003 for amendment BR01B.)

The most recent Division inspection of the site was conducted on January 9, 2006, at which time the site was under snow. Until I have an opportunity to walk the site in the spring, I cannot comment on contributions of suspended solids to streamflow within the site.

RECOMMENDATIONS:

Prior to Phase II bond release, Division representatives must observe the site.